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2 **IN THE UNITED STATES DISTRICT COURT**
3 **FOR THE SOUTHERN DISTRICT OF TEXAS**
4 **HOUSTON DIVISION**

5 SCOTT EASOM, ADRIAN HOWARD
6 and JOHN NAU, on behalf of
7 themselves and on behalf
8 all others similarly situated,

9 Plaintiffs,

10 v.
11 US WELL SERVICES, LLC,

12 Defendant.

13 Case No. 4:20-CV-02995

14 **DECLARATION OF CASSANDRA**
15 **POLITES OF ILYM GROUP, INC.**
16 **REGARDING NOTICE AND**
17 **SETTLEMENT ADMINISTRATION**

18 **HEARING INFO**

19 Date: December 20, 2024

20 Time: 1:00 p.m.

21 I, Cassandra Polites, declare as follows:

22 1. I am a resident of the United States of America and am over the age of 18. I am a
23 Case Manager for ILYM Group, Inc., (herein after referred to as “ILYM Group”), the professional
24 settlement services provider who has been retained by the Parties’ Counsel and subsequently
25 appointed by the Court to serve as the Settlement Administrator for the above captioned, *Easom et*
26 *al. v. US Well Services, LLC* matter. I am authorized to make this declaration on behalf of ILYM
27 Group and myself. I have personal knowledge of the facts herein, and, if called upon to testify, I
28 could and would testify competently to such facts.

29 2. ILYM Group has extensive experience in administering Class Action Settlements,
30 including direct mail services, database management, claims processing and settlement fund
31 distribution services for Class Actions ranging in size from 26 to 4.5 million Settlement Class
32 Members.

33 3. ILYM Group was engaged by the Parties’ Counsel and subsequently approved and
34 appointed by the Court to provide notification services and settlement administration, pursuant to

1 the terms of the Settlement, in the above referenced Action. Duties performed to-date and to be
2 performed after Final Approval of the Settlement is granted, include: (a) printing and mailing the
3 *Claim Form Instructions, Claim Form, and Notice of Class Action Settlement*, (referred to as “Class
4 Notice Packet”); (b) receiving and processing requests for exclusion and objections to the
5 Settlement; (c) resolving Class Members’ disputes over the number of workweeks Defendant has
6 record of them working during the Class Period, which was pre-printed on their individualized
7 Class Notice; (d) establishing a QSF account and calculating individual settlement award amounts;
8 (e) processing and mailing settlement award checks; (f) handling tax withholdings as required by
9 the Settlement and the law; (g) preparing, issuing and filing tax returns and other applicable tax
10 forms; (h) handling the distribution of any unclaimed funds pursuant to the terms of the Settlement;
11 and (i) performing other tasks as the Parties mutually agree to and/or the Court orders ILYM Group
12 to perform.

13 4. On September 19, 2024, ILYM Group received the Court approved text for the Class
14 Notice Packet from Class Counsel. ILYM Group prepared a draft of the formatted Class Notice
15 Packet, which was approved by the Parties’ Counsel prior to mailing.

16 5. On September 19, 2024, ILYM Group received the class data file from Counsel for
17 Defendant, which contained the name, social security number, last known mailing address, email,
18 phone number, and the individual % of Net Settlement. The data file was uploaded to our database
19 and checked for duplicates and other possible discrepancies. The Class List contained unique
20 records for 282 individuals.

21 6. As part of the preparation for mailing, all 282 names and addresses contained in the
22 Class List were then processed against the National Change of Address (“NCOA”) database,
23 maintained by the United States Postal Service (“USPS”), for purposes of updating and confirming
24 the mailing addresses of the Class Members before mailing of the Class Notice Packet. The NCOA
25 contains requested change of addresses filed with the USPS. To the extent that an updated address
26 was found in the NCOA database, the updated address was used for the mailing of the Class Notice
27 Packet. To the extent that no updated address was found in the NCOA database, the original address
28 provided by Counsel for Defendants was used for the mailing of the Class Notice Packet.

1 7. On October 3, 2024, the Class Notice Packet was mailed, via U.S First Class Mail,
2 to all 282 individuals contained in the Class List. Attached hereto, as **Exhibit A**, is a true and correct
3 copy of the mailed Class Notice Packet.

4 8. On October 3, 2024, the Class Notice Packet was emailed to all 282 individuals
5 contained in the Class List.

6 9. As of the date of this declaration, 34 Class Notice Packets have been returned to our
7 office of which none were returned with a forwarding address. ILYM Group performed a
8 computerized skip trace on the 34 returned Class Notice Packets that did not have a forwarding
9 address, in an effort to obtain an updated address for the purpose of re-mailing the Class Notice
10 Packet. As a result of this skip trace, 17 updated addresses were obtained and the Class Notice
11 Packets were promptly re-mailed to those Class Members, via U.S. First Class Mail.

12 10. As of the date of this declaration, a total of 22 Class Notice Packets have been re-
13 mailed as a result of ILYM Group's skip tracing efforts.

14 11. As of the date of this declaration, a total of 22 Class Notice Packets have been
15 deemed undeliverable as no updated addresses were found notwithstanding the skip tracing.

16 12. As of the date of this declaration, ILYM Group has received 1 untimely claim form.
17 The parties have agreed to accept the late claim as valid.

18 13. As of the date of this declaration, ILYM Group has received 240 claim forms. The
19 deadline to submit a claim was December 2, 2024.

20 14. As of the date of this declaration, ILYM Group has received 7 deficient claim forms.
21 The deadline to submit a was December 2, 2024. These members were marked deficient due to
22 incomplete submission of the required information (e.g. W4 missing signature, missing Socia
23 Security Number, etc.). ILYM Group is waiting for both parties confirmation whether to accept or
24 deny these claims.

25 15. As of the date of this declaration, ILYM Group has not received any request for
26 exclusion. The deadline to request exclusion from the Settlement was December 2, 2024.

27 16. As of the date of this declaration, ILYM Group has not received any objections to
28 the Settlement. The deadline to submit a written objection to the Settlement was December 2, 2024.

1 17. As of the date of this declaration, ILYM Group has not received any disputes from
2 a Class Member. The deadline to submit a dispute was December 2, 2024.

3 18. The Net Settlement Amount available to Participating Class Members is estimated
4 to be \$891,382.00 and was calculated by subtracting the requested attorneys' fees \$640,000.00, the
5 amount allocated for litigation costs and expenses \$45,668.00, the requested Class Representative's
6 Service Payments \$15,000.00, the requested Administration Expenses Payment \$7,950.00, from
7 the Gross Settlement Amount \$1,600,000.00.

8 19. As of this date, there are 233 Class Members who submitted a timely and valid claim
9 forms and are therefore deemed to be Participating Class Members and will receive their portion
10 of the Net Settlement Amount. The total claims amount is \$741,741.13.

11 20. Pursuant to the Agreement, the unclaimed amount from the Net Settlement Amount
12 shall revert back to Defendant. As of this date of declaration, the total unclaimed amount is
13 \$149,640.87.

14 21. The *highest* Individual Class Payment to a Participating Class Member is currently
15 estimated to be approximately \$9,878.50, the *average* Individual Class Payment is currently
16 estimated to be approximately \$3,183.44 and, the *lowest* Individual Class Payment is currently
17 estimated to be approximately \$1,246.38. These amounts are subject to employee-side tax and
18 withholdings.

19 22. ILYM Group's total fees and costs for services in connection with the administration
20 of this Settlement, which includes fees and costs incurred to-date, as well as anticipated fees and
21 costs for completion of the settlement administration, are \$7,950.00. ILYM Group's work in
22 connection with this matter will continue with the calculation of the settlement award payments,
23 issuance and mailing of the settlement award checks, the necessary tax filing and reporting on such
24 payments, and any other tasks that the Parties mutually agree to and/or the Court orders ILYM
25 Group to perform.

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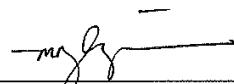
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5 I declare under penalty of perjury under the laws of the State of California and the United
6 States that the foregoing is true and correct to the best of my knowledge and that this Declaration
7 was executed this 16th day of December 2024, at Tustin, California.

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CASSANDRA POLITES

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